

REMARKS

This amendment responds to the office action mailed March 19, 2010. In the office action the Examiner:

- provisionally rejected claims 82-118 under obviousness-type double patenting as being unpatentable over claims of US Application Nos. 10/941,014 and 10/941,035;
- rejected claims 82, 84-88, 91-95, 98-100, 102-104, 107-111 and 118 under 35 U.S.C. 103(a) as being unpatentable over Moody et al. (US 2005/0144157) in view of Doherty (US 2003/0055711);
- rejected claims 83, 89, 96, 101, 105, 110 and 112-117 under 35 U.S.C. 103(a) as being unpatentable over Moody et al. in view of Doherty, and further in view of Rohall et al. (US 2003/0163537); and
- rejected claims 90, 97 and 106 under 35 U.S.C. 103(a) as being unpatentable over Moody et al., in view of Doherty, and further in view of Comer et al. (“Conversation-Based Mail,” hereinafter “Comer”).

The pending claims are claims 82-118.

Related Applications

Office Actions and any Notices of Allowance in US Patent Applications 10/816,427, 10/914,034, 10/914,035, 10/914,036, and 10/914,040 may contain arguments or information relevant to the prosecution of this application. The Examiner is encouraged to review the Office Actions and any Notices of Allowance in the afore-mentioned applications, all of which are available on PAIR.

Amendments to Claims

No amendments have been made to the claims.

1.132 Affidavit

Enclosed in Appendix A of this response is a 1.132 Affidavit of Brian D. Rakowski. The 1.132 Affidavit provides support for the reduction to practice of this invention at least as early as April 21, 2003. The Examiner is respectfully requested to enter this affidavit.

Rejection under 35 U.S.C. 103(a)

The Examiner has rejected claims 82, 84-88, 91-95, 98-100, 102-104, and 107-111 as being unpatentable over Moody in view of Doherty; rejected claims 83, 89, 96, 101, 105, 110 and 112-117 as being unpatentable over Moody in view of Doherty, and further in view of Rohall; and rejected claims 90, 97 and 106 as being unpatentable over Moody, in view of Doherty, and further in view of Comer.

In summary, all of the rejected claims rely on Moody.

Moody et al. is Not Prior Art

Moody et al. was filed on Dec. 29, 2003. As shown in the 1.131 Affidavits submitted with the previous response on February 8, 2010, this invention was conceived on or before September 19, 2002. As shown in the currently submitted 1.132 Affidavit, this invention was reduction to practice at least as early as April 21, 2003. Since Moody was filed after the conception and reduction to practice dates of this invention, Moody is not prior art under 35 U.S.C. § 103(a).

The 35 U.S.C. § 103(a) Rejections are Traversed

Since Moody is not prior art, and all the 35 U.S.C. § 103(a) rejections are based on Moody, the rejections are traversed. Withdrawal of the rejections under 35 U.S.C. § 103(a) is requested.

By responding in the foregoing remarks only to particular positions asserted by the Examiner, the Applicants do not necessarily acquiesce in other positions that have not been explicitly addressed. In addition, the Applicants' arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-4000, if a telephone call could help resolve any remaining items.

Respectfully submitted,

Date: June 21, 2010

/ Gary S. Williams /

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APPENDIX A